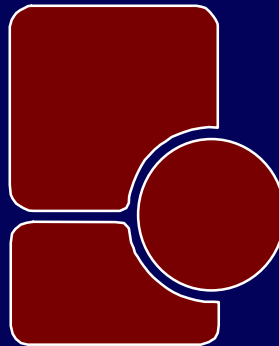


**Joint Legislative Audit and Review Commission
of the Virginia General Assembly**



**Preservation of Revolutionary War Veteran
Gravesites in Virginia**

**Staff Briefing
Robert B. Rotz
November 13, 2000**

Presentation Outline

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Introduction

- ☐ Revolutionary War Veteran Gravesites in Modern-Day Virginia
- ☐ Development of a Preservation Program for Revolutionary War Veteran Gravesites

Study Mandates

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- **House Joint Resolution 530 and Senate Joint Resolution 345 from the 1999 Session direct JLARC to conduct a review of Revolutionary War burial sites.**
 - The State has a program for the care and maintenance of Confederate gravesites.
 - There is no similar provision for the care and maintenance of gravesites of Revolutionary War veterans.
- **In combination, the mandates require:**
 - a compiled list of where Revolutionary War veterans are buried
 - an assessment of issues related to the care and maintenance of these burial grounds
 - recommendations for a program to restore and preserve the sites, including a funding approach.

State Program for the Maintenance and Care of Confederate Veteran Graves

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- The State's program is described in §10.1-2211 of the *Code of Virginia*.
- Item 424 C of the 2000 Appropriation Act provides \$59,690 from the general fund in FY 2001 and in FY 2002 to the United Daughters of the Confederacy (UDC) for the program.
- The UDC disburses the funds to churches and organizations maintaining the gravesites.
 - Prior to 1989, the State provide a minimum \$50 payment per year to each organization authorized to received disbursements.
 - In 1989, the statute was changed to provide the rate of \$5 or the average actual cost of routine maintenance, whichever is greater, for each grave, monument or marker.
 - The \$50 minimum for each organization was maintained when the dollar amounts shown in the *Code* were divided by five to convert from dollars to a number of grave units.

List of Revolutionary War Veteran Gravesites Compiled for Interim Report

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- An interim report for this review provided a compiled list of 2,180 veterans reportedly buried in named locations in Virginia, including:
 - a total of 736 veterans at the Colonial National Historical Park in Yorktown, and
 - a total of 1,444 veterans at other burial locations.
- However, several questions about these veterans remained unanswered.
 - While these sites were reported, how many can actually be found if an attempt is made to visit them?
 - Is there really something at the sites to restore, maintain, or preserve? (Many graves may be unmarked.)

Phase Two Study Issues

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- What is the estimated number of cemeteries with Revolutionary War veteran burials that might be eligible for a preservation program?
- What is the estimated number of Revolutionary War veteran “markers” (term used in the report to refer to tombstones, markers, monuments) that may need repairs over time?
- What is the condition of the cemeteries and markers that can be located today?
- What are the likely costs associated with restoring and preserving these sites?
- What recommendations appear appropriate if the State wishes to develop a program to restore and/or preserve these sites?

Phase Two Research Activities

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- Continued work to update compiled list of veteran gravesites
- Review of cemetery preservation literature and attendance of workshop on cemetery preservation
- Site visits to 38 reported cemetery locations, with walk-throughs of 36 cemeteries
- Development of cost estimates, largely based on applying data from the site visits to the compiled list
- Interviews and document reviews
- Development of program recommendations

Updates to the Compiled List of Revolutionary War Veteran Gravesites

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- Since the time of the interim report, a number of additions, corrections, and deletions have been made to the compiled list of Revolutionary War veteran burials. For example:
 - forty-five veterans reported buried in Virginia were added to the list, and
 - eight entries were deleted.
- Accounting for these updates, the compiled list:
 - shows 1,481 veterans buried or recognized at sites, excluding the Colonial National Historical Park, and
 - a total of 2,217 veterans buried or recognized at all sites.

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[illegible]

Summary of Study Findings and Program Option Costs

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- The best estimate is that there about 560 cemetery sites with about 705 grave markers for Revolutionary War veterans that are potentially eligible for a maintenance program.
- A rough estimate is that about 135 discoverable, non-public sites with Revolutionary War veteran burials may not be actively receiving care.
- Costs for attracting permanent care to neglected sites and extraordinary maintenance costs are difficult to estimate.
- For routine maintenance purposes, a State program providing a baseline payment of \$50 per cemetery (that has at least one Revolutionary War veteran) could help provide:
 - one to two mowings at the cemetery
 - between five and seventeen percent of routine maintenance costs at a typically-sized, eligible cemetery.

Summary of Study Findings and Program Option Costs (continued)

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- Three illustrative options are presented in the report:
 - Option 1 provides a five-dollar payment per grave, as a token level of support
 - Option 2 provides a floor payment (or tax credit) of fifty dollars per cemetery, and provides the Department of Historic Resources (DHR) with resources to implement study recommendations applicable to such a program.
 - Option 3 appears to best meet the study mandate's charge to recommend a program to restore and preserve all sites. However, it is the most costly. It goes beyond Option 2, in that it includes funding for special maintenance purposes such as clearing sites and extraordinary maintenance, and provides more resources for DHR to support these additional purposes.
- Estimated annual costs range from as little as \$2,225 to \$7,400 per year (plus minimal administrative costs) for option one to as much as \$54,600 to \$108,300 per year for option three.

Presentation Outline

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- ☐ Introduction
- ☒ **Revolutionary War Veteran Gravesites
in Modern-Day Virginia**
- ☐ Development of a Preservation Program
for Revolutionary War Veteran Gravesites

Overview of Findings from the JLARC Staff Site Visits

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- Based on the site visits conducted, it appears that most cemeteries with reported Revolutionary War veteran burials can be found today.
- Cemeteries were found in a variety of modern-day locations.
- Overall ratio of markers found to graves reported is about 0.48.
- Condition of cemeteries visited and grave markers observed varied considerably.
- The legibility of marker inscriptions varies widely.

Cemetery on Apartment Community Property

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Cemetery on Hill Above Outlet Mall Parking Lot

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Church Cemetery

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Cemetery in the Country

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Uprooted Grave Markers in Back Corner of Private Property

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Grave Marker in the Woods



Some Tributary Markers Honor Multiple Veterans

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Cemetery Conditions: Recently Cleared Cemetery

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Cemetery Conditions: Maintenance Was In-Progress at Time of Site Visit

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Cemetery Conditions: Oldest Section of Cemetery Was Heavily Wooded

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Maintenance Lacking for Some Fenced Gravesites

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Maintenance Lacking for Some Fenced Gravesites (continued)

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Grave Markers: Some Appeared to Be in Good Condition

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Grave Markers: Some in Good Condition (continued)



Grave Markers: Some Showed Signs of Past Repairs

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Grave Markers: Some Showed Signs of Past Repairs (continued)

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Grave Markers: Some Were Damaged

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Grave Markers: Some Were Damaged (continued)

31



Some Marker Inscriptions Were Clear

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Some Marker Inscriptions Were Difficult to Read, But Legible with Close Scrutiny

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Some Marker Inscriptions Were Not Readable

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Plaques Help Identify Some Veteran Graves With Illegible Inscriptions

35



Original Difficult-to-Read Veteran Grave Stones for John Steffey (No Plaque)

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John Steffey's Grave Is Double-Marked at the Same Cemetery, Which May Be Due to a Lack of Awareness of the Original Stone

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Best Estimate Is that About 560 Sites with 705 Grave Markers Are Potentially Eligible for a Preservation Program

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- Based on extrapolating from the results of the site visits for this study, estimates were developed of the number of cemetery sites and grave markers in Virginia that might be eligible for a Revolutionary War veteran gravesite program.
- Estimated range (low to high) statewide is from:
 - 335 cemeteries and 430 markers, to
 - 885 cemeteries and 1,480 markers.
- Best estimate is:
 - 560 cemeteries and 705 markers.

Presentation Outline

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- ☐ Introduction
- ☐ Revolutionary War Veteran Gravesites in Modern-Day Virginia
- ☒ **Development of a Preservation Program for Revolutionary War Veteran Gravesites**

Study Mandates Require Review of Maintenance Issues and Program Recommendations

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- SJR 345 requires that JLARC “study issues related to the care and maintenance of the burial grounds and graves of veterans of the War of the American Revolution.”
- HJR 530 directs that JLARC “recommend a program to preserve all such sites” [Revolutionary War veteran gravesites].

Nature of Program Depends on Objectives Pursued

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- The features and costs of a State program to promote the preservation of these sites depends to a large extent upon what objectives are pursued:
 - preserve information about the burials for future generations,
 - offer a program of care that is similar to the State's other program,
 - provide some support to existing caretakers of the sites,
 - provide support to attract custodial care to neglected sites,
 - provide support to help with extraordinary preservation needs,
 - identify veteran grave sites that are not currently evident,
 - a step in promoting care of old, small community, family-type cemeteries.

Routine Maintenance Costs at Cemeteries With Revolutionary War Veteran Burials

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- **Costs for a routine maintenance program (generally, mowing and trimming activities) at the cemeteries or cemetery sections of typical size in which Revolutionary War veterans are buried:**
 - are typically incurred to provide 12 to 18 mowings per year (about \$25 to \$50 per mowing)
 - may therefore range from \$300 to \$900 per year, with a best estimate of \$600 per cemetery.
- **This cost range and best estimate are for maintenance activities at cemeteries with about 50 to 100 graves, of which one or a small subset may be Revolutionary War veteran graves.**

Five Dollar Per-Grave Reimbursement Would Provide a Token Level of Support

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- **A five-dollar per grave reimbursement for 705 graves at these cemeteries provides some support for routine maintenance, and would be inexpensive (\$3,525).**
- **However, this level of reimbursement also would not bring much benefit in the way of enhanced care of each veteran gravesite:**
 - **Cemetery caretakers either mow and perform ordinary maintenance for a cemetery (or a cemetery section), or they neglect it. They do not just mow around selected stones.**
 - **Across Virginia, only 30 of the 889 cemeteries with Revolutionary War veteran burials reported for this study (excluding the Colonial National Historical Park) were reported to have five or more Revolutionary War veteran burials.**
 - **Of the 12 to 18 mowings that might be desirable at each cemetery, the amount would not be sufficient to pay for one complete mowing at the vast majority of the cemeteries.**

The State May Wish to Consider a Program with a Baseline Payment or Tax Credit of \$50 Per Eligible Cemetery

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- **The cost for a \$50 disbursement (or tax credit) for routine maintenance at each eligible cemetery would range from \$16,750 to \$44,250 annually, with a single best estimate of \$28,000**
- **This cost does not appear to be unduly expensive, and it is an amount that could be more meaningful to the routine maintenance care of the sites:**
 - **at a cemetery with currently deficient mowing practices, it could provide for the cost of an additional one to two mowings**
 - **if defined to include the purchase of all-weather plaques to mark Revolutionary War veteran gravestones that are fading, the funding could be used to aid in meeting the typical purchase price (\$125).**

Additional Grants or Tax Credits Required to Pursue Objectives Beyond Routine Maintenance

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- To “restore and preserve all such sites” (language from HJR 530), a potential program must be responsive to issues other than assisting active caretakers facing routine maintenance costs. It must also:
 - attract maintenance care to currently neglected sites
 - address extraordinary maintenance needs as they arise
- The report discusses difficulties in estimating costs to meet these purposes. However, it appears that a range of \$10,000 to \$40,000 annually might be a reasonable initial range. The amount could be adjusted based on funding availability, program experience, and the amount of funding that appears necessary to meet critical needs.

Kentucky Has a Program That Provides Funds for Certain Cemetery Preservation Activities

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- JLARC staff contacted 20 states, and received information from 15 about cemetery preservation programs. Most states have laws seeking to prevent desecration, but do little regarding proactive preservation.
- Kentucky, however, has a cemetery preservation program:
 - originally designed for gravesites of deceased governors, but within last several years has been expended to include others, including “Kentucky Pioneers”
 - Kentucky pioneers defined to include people who were living in Kentucky by 1800, or who are buried in cemeteries that were in place for people who died before 1850
 - Kentucky allocates \$40,000 per year for the program, of which \$22,500 is for governors and vice-presidents, \$12,500 is for Kentucky pioneers, and \$5,000 is for educational activities. Adequacy of funding is a reported problem.

Recommendations for State Funding

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- ***Recommendation.*** The General Assembly may wish to consider establishing a State program to assist with routine maintenance costs, or the purchase of durable plaques, at cemeteries with at least one documented Revolutionary War veteran burial. The General Assembly may wish to establish a 50 dollar minimum or baseline payment or tax credit amount per eligible cemetery as a major component of the program.
- ***Recommendation.*** The General Assembly may wish to consider providing between \$10,000 and \$40,000 per year to provide support toward statewide costs for the initial clean-up of neglected cemeteries, and to provide for extraordinary maintenance costs. The General Assembly may also wish to require that the entity administering the program on behalf of the State develop and publish criteria or guidelines for use in setting priorities where the State funding requested for these purposes exceeds available funds.

Program Development and Implementation Could Be Handled Initially by DHR

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- If a program is to be established, it appears that the Department of Historic Resources (DHR) should be assigned initial responsibility for developing and managing the program:
 - it is the State historic preservation office
 - its mission is to “foster, encourage, and support the stewardship of Virginia’s significant historic, archaeological, and cultural resources.”
 - it administered the Confederate graves program prior to contracting the program to the UDC, and still has some oversight responsibilities for that contract.

Contracting the Program Out May Be Feasible in the Long-Term, But This Is Not Certain

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- Just as the Confederate graves program is now contracted out, once a Revolutionary War veteran graves program has matured, it may be desirable for the State to contract with an organization to administer the program into the future.
- However, whether any potentially-interested organizations analogous to the UDC (such as the Daughters of the American Revolution or the Sons of the American Revolution) will be interested and step forward to provide this role is currently unclear.
- If the role of program administration is contracted out, and if special maintenance projects are funded as part of the program, then an exception or some unique arrangements might need to be worked out to deflect any potential concerns that might be raised about the impartiality of the awards.

Recommendations to Develop and Implement the Program

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- **Recommendation.** In the short-term, DHR should be provided the resources needed to establish and administer the program. In the longer-term, the program could be administered on a contract basis.
- **Recommendation.** As part of the initial application process for participation in the program, certain documentation about the underlying condition of the sites should be provided.
- **Recommendation.** DHR should maintain a list of sites for which appropriate documentation has been received, and continue to add to the list each year as new applications are received.
- **Recommendation.** DHR should pursue creative ways of linking cemetery sites that are maintained with other State and local tourism programs, and consider sponsoring certain promotional activities that could raise additional funds for gravesite maintenance.

Recommendations to Address Other Issues for Funding Maintenance at the Cemeteries

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- **Recommendation.** The General Assembly may wish to require that DHR include smaller cemeteries in a biennial assessment of per-grave maintenance costs, and use the results to fund cemeteries whose costs on a per-grave basis for all Revolutionary War veteran graves exceeds a \$50 minimum.
- **Recommendation.** The General Assembly may wish to direct that a survey be conducted to assess the willingness of local governments with Revolutionary War veteran burial sites to voluntarily set aside some funding, now and over time, for potential use as a match for State funds to provide for initial cemetery clean-up and extraordinary maintenance needs as they arise.
- **Recommendation.** The General Assembly may wish to consider a match requirement for recipient organizations and local governments for projects receiving State funds that go beyond the baseline payments for routine maintenance.
- **Recommendation.** DHR should require documentation of project expenditure levels that are sufficient to meet State match requirement.

State Will Need to Make Some Guidance Available Regarding Maintenance Care

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- It is possible to damage tombstones with inappropriate approaches to mowing and trimming around stones.
- More complicated issues arise when there is a need to perform tasks such as tree removal or repairing damaged stones.
- If the State is to provide funds to assist with the preservation of these sites, it appears incumbent upon the State to provide some guidance about providing lawful and appropriate care at the sites.
- *Recommendation.* DHR should develop materials that explain the philosophy of cemetery preservation and address appropriate and inappropriate cemetery preservation practices. DHR should make these materials available to recipients of funds under the program.

Three Illustrative Program Options Developed

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- **Option 1:** Five-dollar per grave payment or tax incentive.
- **Option 2:** Baseline payment or tax credit of \$50 per cemetery (plus five dollars per grave for Revolutionary War veteran graves exceeding ten in number).
- **Option 3:** Covers the costs of Option 2, but also provides up to \$27,000 per year for five years for initial site clean-up costs, and \$10,000 to \$40,000 per year thereafter for extraordinary maintenance and for attracting care to neglected sites.

Assumptions About Program Development and Implementation Costs

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- **Option One:** is a minimal program, and minimal administrative expenses should be required.
- **Option Two:** may require up to 0.5 FTE (full-time equivalent position) of program development and administrative time in the early stages, and 0.25 FTE once the program matures.
- **Option Three:** may require up to 1.0 FTE of program development and administrative time in the early stages, and up to 0.5 FTE once the program matures.

Estimated Costs and Purposes of Illustrative Program Options

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Option	Estimated Costs	Purpose
One: Five-dollar payment or tax credit per grave	\$2,225 to \$7,400 plus administrative expenses	Would provide a small level of support to existing cemetery caretakers
Two: Baseline payment of \$50 per cemetery	\$55,500 in early stages \$41,900 after program matures	Would provide a more meaningful level of support to existing caretakers
Three: Baseline payment plus funding for initial site clean-up, extraordinary maintenance, and attraction of care to neglected sites.	\$103,000 to \$108,300 in early stages \$54,600 to \$95,500 after program matures	Best addresses the objective of HJR 530 to “recommend a program to restore and preserve all sites”

Conclusions

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- Although many Revolutionary veteran gravesites in Virginia have already disappeared, some of these gravesites can still be found in Virginia today. The gravesites could provide an interesting resource for Virginia to promote, in terms of public awareness for Virginia's citizens, and possibly for tourism.
- The General Assembly may wish to establish a program to provide a more coordinated program to identify these sites, document conditions, and promote preservation activities.
- The costs of whatever program is established, as well as the success of the program, will ultimately depend in large measure on the degree of interest that exists at the grass-roots level (by churches, DAR and SAR chapters, historical societies, and others) to participate in the program by using the funds to support or enhance their existing maintenance efforts, or to participate by "adopting" cemeteries and overseeing or providing consistent maintenance care at these sites.